IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.12767 of 2001

Between:

Smt.Lingampally Laxmibai, W/o.L.Kishan Rao, 34 years,
R/o.Narasakkapalli Village, H/o.Rayaparthi Village, Parkal Mandal,
Warangal District.

...PETITIONER

AND

1. The State Election Commission, Government of A.P.,
   Budhapoornima Buildings, Ranigunj, Secunderabad.
2. The District Collector and District Election Officer, Warangal
   District at Hanamkonda.
3. The Mandal Revenue Officer, Parkal Mandal, Warangal District.
4. The Mandal Election Officer, Parkal Mandal, Warangal District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 in issuing the Memo in R.C.No.C/340/2001, dated 23.06.2001 in not considering the issuance of B.C-B (Aryakshatriya) Caste Certificate to the petitioner as bad, arbitrary, illegal and unconstitutional and consequently direct the respondents to issue B.C-B (Aryakshatriya) Caste Certificate to the petitioner.

Counsel for the Petitioner: MR.C.DAMODHAR REDDY

Counsel for the Respondents: ADVOCATE GENERAL

The Court made the following:

ORDER:

The petitioner claims that she belongs to Aryakshatriya Caste which is statedly included in the list of Backward Classes as BC-B. On the eve of Elections to the office of ZPTC, Parkal Mandal in Warangal District, she approached the Mandal Revenue Officer (MRO) for issue of Caste Certificate, in vain. By impugned letter, dated 23.06.2001, the MRO, third respondent herein informed that she cannot be issued the said Certificate as the matter was placed before the Backward Class Welfare Commission. The said order is assailed in the Writ Petition.

This Court while admitting the Writ Petition on 28.06.2001, passed interim orders in W.P.M.P.No.15892 of 2001, which reads as under.

> The affidavit filed by the petitioner before MRO, Parkal itself would reveal that the petitioner claimed that she belongs to Backward Caste Community, Sub Caste 'Aryakshatriya Group 'B'' at Sl.No.2. It is stated that the petitioner, her husband, her father and forefathers belong to the same Caste.
>
> The Mandal Revenue Officer through the impugned proceedings rejected the request of the petitioner while referring to the letter dated 24.04.2001 issued by the District Collector stating that the issue of the Caste Certificate to Aryakshatriya, Are, Arevallu, Arellu Caste people as B.Cs was placed before the Commissioner for Backward Caste Welfare and the same is pending consideration of the Commissioner.
>
> But the notification issued by the Government would clearly show that the Aryakshatriya Community is notified as B.C. Group 'B'. In the circumstances, the third respondent herein shall issue the necessary certificate to the petitioner, on being satisfied that the petitioner belongs to Aryakshatriya Community, forthwith.

The Election was to be held on 12.07.2001. Further, this Court already directed the MRO to issue Caste Certificate as requested by the petitioner, on being satisfied that the petitioner belongs to the said community. In that view of the matter, nothing survives in the Writ Petition.

The Writ Petition is accordingly dismissed as infructuous.

(V.V.S.RAO, J)

17th September 2004
RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The State Election Commissioner, Government of A.P., Budhapoornima Buildings, Ranigunj, Secunderabad.
2. The District Collector and District Election Officer, Warangal District at Hanamkonda.
3. The Mandal Revenue Officer, Parkal Mandal, Warangal District.
4. The Mandal Election Officer, Parkal Mandal, Warangal District.
5. Two CCs to Advocate General, High Court Buildings, Hyderabad (OUT).
6. Two CD copies.